

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION,

TUESDAY, APRIL 8, 1969.

CITY OF FORT WAYNE, INDIANA

Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber Tuesday
evening, April 8, A.D., 1969 in Regular Session. President
Herbert G. Tipton in the chair, and Fuad G. Bonahoom Clerk, at the desk,
present the following members _____ viz:

Adams ✓ Dunifon ✓ Fay ✓ Geake ✓ Nuckols ✓ Robinson ✓
Rousseau ✓ Steigerwald ✓ Tipton ✓.

Absent _____ viz: Councilman _____

The minutes of the last regular March 25, 1969 session having been delivered
to the Council, were, on Motion, approved as published.



City of Fort Wayne

COMMUNICATION FROM THE MAYOR

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, March 26, 1969, I have approved the following ordinances passed by the Common Council at its regular meeting on March 25, 1969:

(Bill No. A-69-03-01)

APPROPRIATION ORDINANCE NO. A-50-69

AN ORDINANCE appropriating funds from the General Fund of the 1969 Budget to Account No. 8-2-23 in the 1969 Budget of the Board of Public Safety.

(Bill No. S-69-03-02)

SPECIAL ORDINANCE NO. S-214-69

AN ORDINANCE approving a certain bid document with PRISMO SAFETY CORP. for Non-reflective Pavement Marking Paint for the Traffic Engineering Department.

(Bill No. S-69-03-03)

SPECIAL ORDINANCE NO. S-215-69

AN ORDINANCE approving a certain bid document with BALTIMORE PAINT AND CHEMICAL CORPORATION for High Viscosity Pavement Marking Paint for the Traffic Engineering Department.

(Bill No. S-69-03-04)

SPECIAL ORDINANCE NO. S-216-69

AN ORDINANCE approving a certain bid document with FLEX-O-LITE, DIVISION OF GSI for Reflective Glass Spheres for the Traffic Engineer.

(Bill No. S-69-03-05)

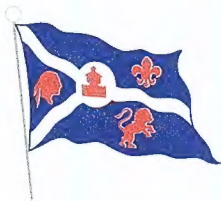
SPECIAL ORDINANCE NO. S-217-69

AN ORDINANCE approving a certain bid document with MINNESOTA MINING & MFG. CO. for Reflective Sheeting, Sign Faces and Related Items for the Traffic Engineering Department.

(Bill No. S-69-03-06)

SPECIAL ORDINANCE NO. S-218-69

AN ORDINANCE approving a certain bid document with HALL SIGNS, INC. for various sizes of Steel Sign Posts for the Traffic Engineering Department.



MADE A MATTER OF RECORD
DATE 4-8-69 FILED G. DOMANIS, CITY CLERK

(Bill No. S-69-03-07)

SPECIAL ORDINANCE NO. S-219-69

AN ORDINANCE approving a certain bid document with CATAPHOTE CORPORATION for requirements of Aluminum Traffic Sign Blanks for the Traffic Engineering Department.

(Bill No. S-69-03-08)

SPECIAL ORDINANCE NO. S-220-69

AN ORDINANCE approving two contracts with EARTH CONSTRUCTION & ENGINEERING, INC. for construction of Storm Sewers in the area of New Haven and Fleetwood Avenues, and in Anthony Wayne Village.

(Bill No. S-69-03-09)

SPECIAL ORDINANCE NO. S-221-69

AN ORDINANCE approving contract with BERCOT-GIBSON CONSTRUCTION CO., INC. for construction of Edsall Avenue-McCormick Street Storm Sewer Outfall.

(Bill No. S-69-03-10)

SPECIAL ORDINANCE NO. S-222-69

AN ORDINANCE approving an Agreement with PHILIP L. SCHNELKER for the design of a sanitary sewage pumping Station in the Bullerman Ditch area.

(Bill No. S-69-03-11)

SPECIAL ORDINANCE NO. S-223-69

AN ORDINANCE approving a certain bid document with C. A. GRIEGER, INC. for one 1969 Chevrolet Sedan for the Building Commissioner.

(Bill No. G-69-03-13)

GENERAL ORDINANCE NO. G-50-69

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Steiss Drive.

(Bill No. G-69-03-14)

GENERAL ORDINANCE NO. G-51-69

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of certain public streets and alleys.

(Bill No. R-69-03-37)

RESOLUTION NO. R-37-69

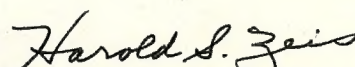
RESOLUTION authorizing payment for repairs to City-owned vehicle.

(Bill No. R-69-03-38)

RESOLUTION NO. R-38-69

RESOLUTION to request the Governor of the State of Indiana to call a special session of the General Assembly.

Respectfully submitted,


Harold S. Zeis
Mayor

City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

March 25, 1969

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City Hall
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

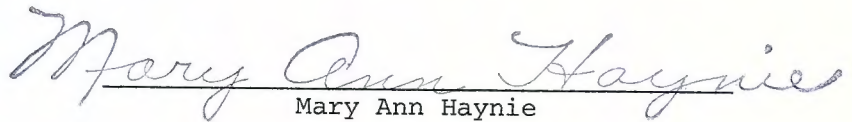
Attached hereto is a resolution recommending introduction of an ordinance to extend the Fort Wayne Planning Jurisdiction into a recently incorporated area to be referred to as Addendum Map No. V. Also attached is a resolution for the vacation of a portion of Delaware and Forest Avenues along with the recommendations of the City Plan Commission on three (3) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-69-02-06
Bill No. Z-69-02-22
Bill No. Z-69-02-25

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of March 1969.


Mary Ann Haynie
Secretary



MADE A MATTER OF RECORD
DATE 4-8-69 FUAD G. BOLLING, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 11, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

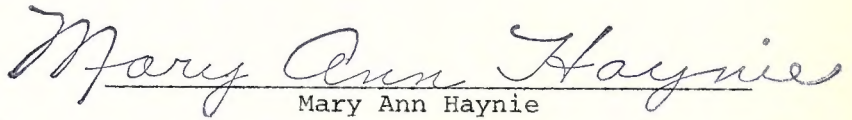
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
25th day of March 1969.


Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-22; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

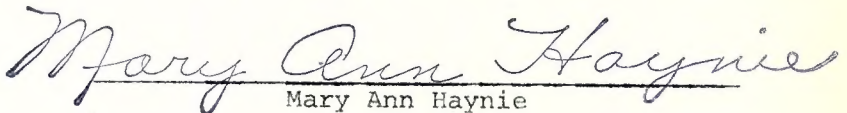
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
25th day of March 1969.


Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

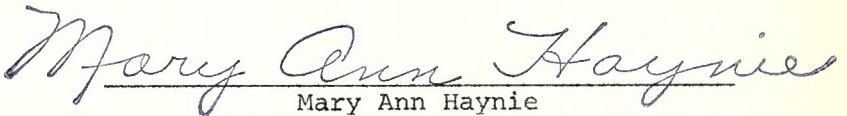
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the city, and the amendment will be detrimental to and conflicts with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
25th day of March 1969.


Mary Ann Haynie
Secretary

RESOLUTION

WHEREAS, Jehl Homes Corporation, an Indiana corporation, and Thomas P. Jehl, and other abutting owners have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets located in an unincorporated area contiguous to the corporate limits of the City of Fort Wayne, Indiana, described as follows, to-wit:

Delaware Avenue, from the East platted and dedicated right-of-way line of Inwood Drive, East to the East line of Delta Heights Addition, the portion of said street being 50 feet in width and 140 feet in length all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana; and

Forest Avenue, from the East platted and dedicated right-of-way of Inwood Drive, East to the East line of Delta Heights Addition, this portion of said street being 50 feet in width and 140 feet in length, all as shown on the plat of Delta Heights Addition to the City of Fort Wayne, as recorded in Plat Record 11, page 85 of the Records in the office of the Recorder of Allen County, Indiana,

all in accordance with the terms of Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, Section 53-734, 53-744 and 53-765); and

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on the 24th day of March, 1969, at 7:30 o'clock P. M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said above

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the Board of Public Works for their action thereon.

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and complete copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 24th day of ~~February~~ ^{MARCH}, 1969, and as the same appears of record in the official records of said Plan Commission.

Arthur C. Richard
President Fort Wayne City Plan Commission





City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

April 7, 1969

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City Hall
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

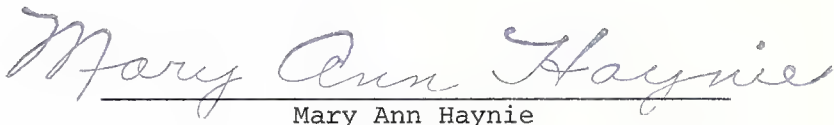
Attached hereto are the recommendations of the City Plan Commission on five (5) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-69-01-22
Bill No. Z-69-02-21
Bill No. Z-69-02-23
Bill No. Z-69-02-26
Bill No. Z-69-02-27

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
7th day of April 1969.



Mary Ann Haynie
Secretary

MADE A MATTER OF RECORD

DATE 4-8-69 FUAD G. BONAHOCM, CITY CLERK



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-01-22; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

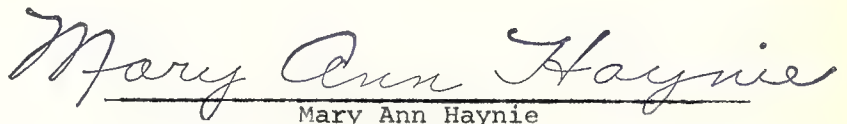
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 24, 1969.

Certified and signed this
7th day of April 1969.



Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

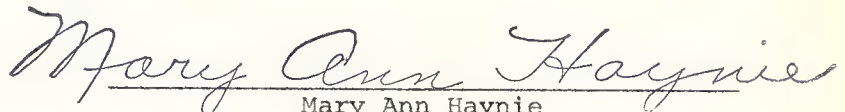
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
7th day of April 1969.


Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-23; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969; and,

WHEREAS, this Plan Commission finds that in the interest of the public and the spirit of the Zoning Ordinance, said proposed bill to rezone could be improved by deleting the letters and number "BlB" and substituting therefor the letters and number "BlA", and that such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal;

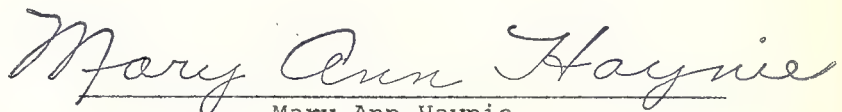
NOW THEREFORE, BE IT RESOLVED that said ordinance be amended by deleting the letters and number "BlB" and substituting therefor the letters and number "BlA"; and,

1. That such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal; and,
2. That as so amended, said ordinance DO PASS.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
7th day of April 1969.



Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

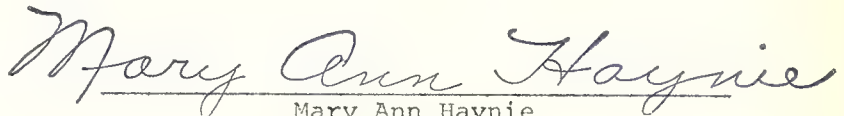
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
7th day of April 1969.


Mary Ann Haynie
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-27; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

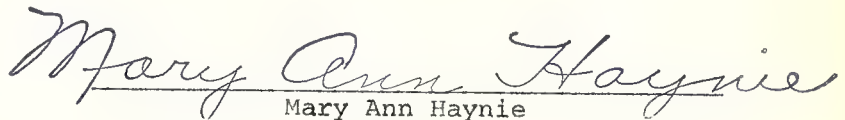
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this
7th day of April 1969.


Mary Ann Haynie
Secretary



City of Fort Wayne

J. ROBERT ARNOLD
City Attorney
1120 Lincoln Tower
743-3397

March 28, 1969

Mayor Harold S. Zeis, and
The Common Council of the City of Fort Wayne
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

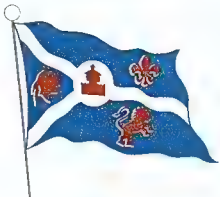
You have asked my opinion as to Federal and State legislation concerning standard and daylight saving time.

The opening section of Federal Uniform Time Act of 1966 is as follows:

"It is the policy of the United States to promote the adoption and observance of uniform time within the standard time zones provided by sections 261-264 of this title, as modified by section 265 of this title. To this end the Interstate Commerce Commission is authorized and directed to foster and promote widespread and uniform adoption and observance of the same standard of time within and throughout each standard time zone."

This is a proper recognition of the limitations of law in the field of time. It is a declaration of policy, a call for an effort to reach uniformity. It is not a legal command.

The next section of the Federal Uniform Time Act provides for what we usually call daylight saving time but what the Act calls "advanced standard time". It provides the date of beginning and ending of this advanced standard time. It provides that this shall supersede any state or local action in that respect unless the state passes a statute exempting the entire state from advanced time.



MADE A MATTER OF RECORD

DATE 4-8-69 FUAD G. DONAHOO, CITY CLERK

The Indiana Act the following year did not exempt the entire state. The official clock device is an obvious subterfuge. Therefore it was not effective to exempt the state from this section. This may have been the basis for the opinion supposedly given by the Indiana attorney general at the time. No official opinion on the subject is published in the Opinions of the Attorney General.

The Federal Uniform Time Act of 1966 then proceeds to declare who shall observe this standard time as follows. It should be remembered that what we call daylight saving time is also "standard time" under the Act.

"Within the respective zones created under the authority hereof the standard time of the Zone shall, in so far as practicable as determined by the Interstate Commerce Commission, govern the movement of all common carriers engaged in interstate or foreign commerce. In all statutes, orders, rules and regulations relating to the time of performance of any act by any officer or department of the United States, whether in the legislative, executive or judicial branches of the government, or relating to the time within which any rights shall accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of the United States, it shall be understood and intended that the time shall, in so far as practicable as determined by the Interstate Commerce Commission, be the United States Standard time of the zone within which the act is to be performed."

This provision of the Uniform Time Act of 1966 is an almost verbatim reenactment of a section of the Standard Time Act of 1918. Under the 1918 Act, the Supreme Court of the United States affirmed without comment a decision of a special three judge court upholding the Massachusetts Daylight Saving Act. The affirmed opinion stated:

".... assuming that Congress has constitutional power under that standard of measures clause, or the commerce clause, or under both clauses, to provide a standard time applicable to all persons subject to the jurisdiction of the United States, it has not yet seen fit to go further than to make such standard time applicable only (1) to the movement of common carriers engaged in interstate and foreign commerce; (2) to its own officials and departments; and (3) to all acts done by any persons under federal statutes, orders, rules and regulations. So construed the federal Standard Time Act is not exclusive of state action on the same subject matter; there is no conflict between the two acts;"

Massachusetts State Grange v. Benton, 10 Fed. 515, 272 US 525

As stated, the section on which this decision was based was reenacted almost verbatim in the Uniform Time Act of 1966. Although there appear to be no actual decisions of appellate courts in cases arising since the 1966 Act, the Supreme Courts of Kansas and Missouri have said that the Act appears to make no change in the mandatory coverage of the Act.

In Whitmer v. House, 426 P2 100 at 105, the Kansas Supreme Court said in 1967:

"While many of the sections of the 1918 Act were amended, the overall applicability of the 1966 Act relates, as in the 1918 Act, to the performance of any act of an officer or department of the United States."

As recently as September of 1968 the Supreme Court of Missouri in Playboy Club, Inc. v. Myers, 431 SW 2d 221, a case involving tavern hours, said:

"We repeat here that no one in this case contends that the 1966 Act is conclusive on these parties; it declared a policy of promoting the 'adoption and observance of uniform time', authorized the Interstate Commerce Commission to 'foster and promote' such, and prescribed for each time zone a time 'advanced one hour' from the last Sunday in April to the last Sunday in October. It further provided that the act should govern the movement of common carriers in interstate commerce, federal officers and departments, and all those acts governed by Federal statutes, orders, rules and regulations;"

The Missouri Supreme Court further stated at page 232:

"We do note, however, the case of Massachusetts State Grange v. Benton (quoted above) in which it was held that a state daylight savings law was not rendered invalid by the federal act of 1918 establishing time zones, because the latter did not attempt to regulate state affairs. That is also true of the 1966 act, and we agree with plaintiffs that it does not lay any mandate upon the states."

In summary of my opinion:

1. Under the Federal Uniform Time Act of 1966, standard time, including "advanced standard time" or "daylight saving time", must be observed only by common carriers engaged in interstate or foreign commerce, the departments and officers of the Federal government, and in application of Federal statutes and regulations.
2. The Indiana Act of 1967 was not effective to exempt such persons and activities from the Federal Act of 1966.

3. The General Assembly could fix the time as far as departments, officers and employees of the state and local governments are concerned. The Act of 1967 might be construed as doing so.

4. In view of the uncertainty as to this interpretation of the Indiana Act, there would be no legal objection to a city ordinance clarifying time for city departments, officers and employees and for application of city ordinances.

5. Such action might well be coordinated with similar action by other local governmental bodies, such as the county commissioners and the school board. In view of the language of the Federal Act, however, coordination of time in private activities should be left to the private agencies such as the Chamber of Commerce.

6. Devices such as official clocks have no legal effect.

Yours truly,

JRA:H:jmp

J. Robert Arnold,
City Attorney

April 1, 1969

Mr. Robert E. Meyers
Associate City Attorney
1120 Lincoln Bank Tower
Fort Wayne, Indiana

Dear Mr. Meyers:

In order to formulate uniformity in the time situation in Fort Wayne, I request that in line with your official opinion that a resolution or an ordinance be drawn and ready for introduction on the next Council meeting, April 8, 1969.

This ordinance should indicate the compliance with the Federal Time Act, that all Municipal Governmental activities be on the Eastern Daylight Time and further urge all other activities in our community to cooperate in the establishment of compliance with the Federal Time Statute.

A resolution in my mind would be preferable because of the fact that the sooner this legislation is acted on by the City Council, the confusion that now exists can come to an end. Advise of any questions that this letter may generate.

Yours very truly,

John H. Robinson

JHR:lw

CC: Mayor Harold S. Peis

CLERK-TREASURER'S, CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

FUNDS	MONTH OF		MARCH, 19		69		DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSEMENTS	TREASURER'S ENDING BALANCE	CONTROLLER'S ENDING BALANCE
	TOTAL JAN. 1 BALANCE AND RECEIPTS TO DATE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	4	5	6					
GENERAL	1439,125.38	169,976.05	1609,101.43	1421,270.51	648,292.39	2069,562.90					(460,461.47)
AVIATION	158,710.75	34,222.65	192,933.40	74,468.70	27,369.45	101,838.15					31,095.25
PARK-GENERAL	337,041.73	51,050.16	388,091.89	324,180.95	163,019.27	487,200.22					(99,108.33)
PARK-TRUST	97,918.99	5,107.84	103,026.83	1,684.32	17.90	1,702.22					101,324.61
REDEVELOPMENT DISTRICT CAPITAL	48,910.53	3,400.00	52,310.53	4,761.21	6,899.18	11,660.39					40,650.14
REDEVELOPMENT DISTRICT CAPITAL	201,392.73	81,883.79	283,276.52	33,609.94	4,062.20	37,672.14					245,604.38
MOTOR VEHICLE HIGHWAY	799,196.73	183,567.46	982,764.19	598,048.61	97,049.64	695,098.25					287,665.94
PARKING METERS	49,833.30	6,253.26	56,086.56	8,480.13	4,336.21	12,816.34					43,270.22
SEWER RELIEF	394,841.96	88,400.00	483,241.96	58,892.28	10,664.92	69,557.20					413,684.76
FLOOD PREVENTION & RIVER IMP	44,783.79	3,400.00	48,183.79	4,421.40	2,438.50	6,860.90					41,322.89
PARKING GARAGE	41,407.72	8,213.10	49,620.82	17,205.45	8,168.77	25,374.22					24,246.60
PUBLIC LIGHTING	34,223.91	3,400.00	37,623.91	2,173.76	5,053.22	7,226.98					30,396.93
EXPRESSWAY	3,970.69		3,970.69								3,970.69
ST. MARY'S RIVER IMPOUNDING	220,275.97	3,400.00	223,675.97	80.00	120.00	200.00					223,675.97
HUMANE TRUST	2,076.83	279.60	2,356.43								2,156.43
BARRETT LAW MANDATORY JUDGEMENT	30,345.67		30,345.67								30,345.67
FIREMEN'S PENSION	163,775.17	14,762.80	178,537.97	63,433.48	49,452.30	112,885.78					65,652.19
POLICE PENSION	170,790.77	17,565.20	188,355.97	56,398.87	56,995.69	113,394.56					74,961.41
SANITARY OFFICER'S PENSION	18,984.78	2,340.20	21,324.98	2,395.96	2,331.00	4,726.96					16,598.02
FORT WAYNE ART INSTITUTE	262.99	1,350.00	1,612.99								1,612.99
CITY-COUNTY BUILDING	335,186.55	456,000.00	791,186.55	331,902.00	458,597.08	790,499.08					1,687.47
R-51 FORT WAYNE NATIONAL BANK	1114,028.80	813.75	1114,842.55	183,108.70	822,579.74	1005,688.44					109,154.11
R-51 ANTHONY WAYNE BANK	453,046.50		453,046.50	452,914.00		452,914.00					132.50
R-52 LINCOLN NATIONAL BANK	165,780.17	253,062.83	418,843.00	114,516.31	198,366.48	312,882.79					105,960.21
R-52A ANTHONY WAYNE BANK	331,902.00		331,902.00	331,902.00		331,902.00					-0-
CUMULATIVE CAPITAL	747,063.96	13,725.10	760,789.06	735,047.53	22,627.00	757,674.53					3,114.53
REVOLVING	54,775.42	11,559.35	66,334.77	18,197.58	8,137.19	26,334.77					40,000.00
UTILITIES - ELECTRIC	3987,362.98	1166,989.80	5154,352.78	3591,300.49	905,276.21	4496,576.70					657,776.08
UTILITIES - WATER	1847,899.62	521,973.11	2369,872.73	1290,106.51	320,496.63	1610,603.14					759,269.59
UTILITIES - SEWER	1940,463.11	578,172.00	2518,635.11	1480,792.49	582,478.16	2063,270.65					455,364.46
MUNICIPAL UTILITIES PENSION	20,462.48	6,332.42	26,794.90	13,108.49	6,332.42	19,440.91					7,353.99
CUMULATIVE PARK BUILDING	73,524.61	2,700.00	76,224.61								76,224.61
WATERWORKS CONST 1967 PHASE 1	431,645.94		431,645.94	256,890.21	109,911.57	366,801.78					64,844.16
PAYROLL	1307,870.97	646,483.32	1954,354.29	1244,417.94	628,092.09	1872,510.03					81,844.26
CRIME CONTROL FUND	3,925.00	2,400.00	6,325.00	1,938.56	1,783.37	3,721.93					2,603.07
R-51 DEPOSIT HELD ACCT.	1,516.91	800.00	2,316.91	20.00	700.00	720.00					1,596.91
WATERWORKS CONST 1968 PHASE 11	683,017.42	507,000.00	1190,017.42	495,457.60	558,802.75	1054,260.35					135,757.07
CENTRAL CITY CODE ENFORCEMENT		6,100.00	6,100.00								6,100.00
CHANGE	500.00		500.00								500.00
STREET SPECIAL	3,785.84		3,785.84	3,785.84		3,785.84					-0-

TOTALS

17761,628.67 4852,683.7922614,312.46 13216,911.82 5710,452.33 18927,364.15

3686,948.31

ADJUSTMENTS (explain fully)

BALANCE (Col. 7 must agree with Col. 8)

RESOLUTION RECOMMENDING INTRODUCTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the area shown on the accompanying map was annexed to the City of Fort Wayne, Indiana, effective January 1, 1969; and,

WHEREAS, this annexation extended beyond the present Fort Wayne City Planning Jurisdiction; and,

WHEREAS, it is now necessary to extend the Fort Wayne Planning Jurisdiction into the recently incorporated area;

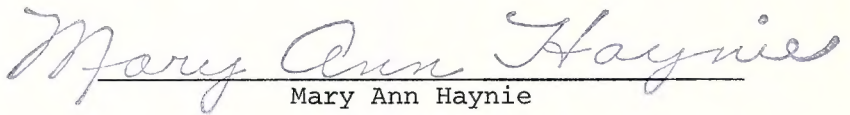
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that an ordinance be introduced in the Common Council of the City of Fort Wayne as shown on the attached Addendum Map Number V;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

FORT WAYNE CITY PLAN COMMISSION

Certified and signed this
24th day of March 1969.


Mary Ann Haynie
Secretary

The Council then adjourned.

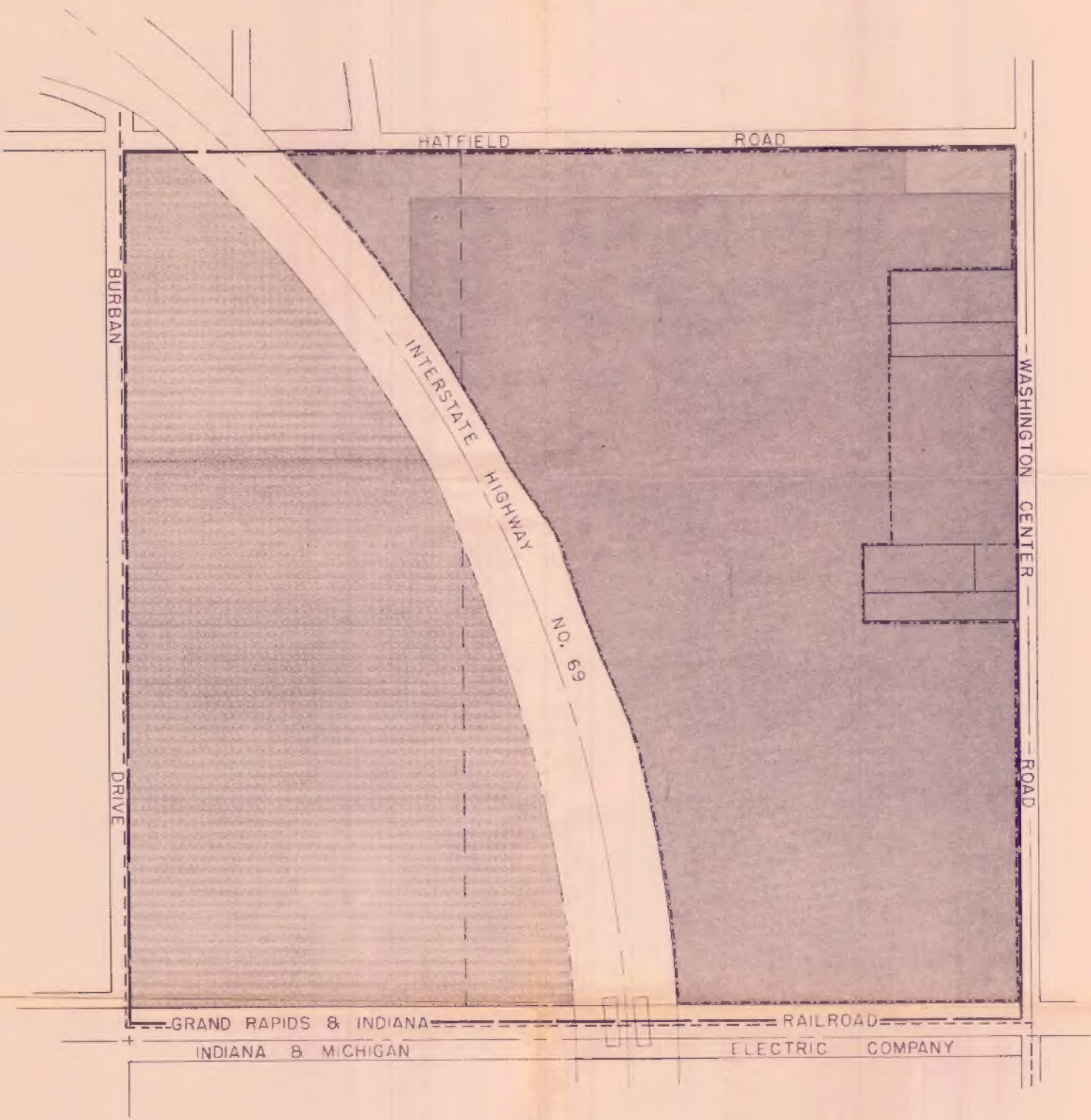
CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 18th day of April, 1969; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 18th day of April, 1969.

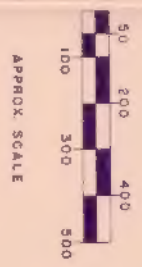
Fuad G. Bonahoom
City Clerk

SEAL



ADDENDUM MAP NO. V
 (MAP APPROVED BY CITY PLAN COMMISSION)
 TO THE CITY OF FORT WAYNE ZONING
 MAP

- LEGEND**
- HISTORICAL BOUNDARY
 - INTERSTATE ACCESS SYMBOL
 - PLANNING JURISDICTION BOUNDARY
 - RA RESIDENTIAL A
 - RB RESIDENTIAL B
 - R1 SINGLE FAMILY RESIDENCE
 - R2 TWO FAMILY RESIDENCE
 - R3 MULTIPLE FAMILY RESIDENCE
 - R4 ROADSIDE BUSINESS
 - B2 SHOPPING CENTER
 - B2A SHOPPING CENTER
 - B1A LIMITED BUSINESS A
 - B1B LIMITED BUSINESS B
 - B3A GENERAL BUSINESS A
 - B3B GENERAL BUSINESS B
 - M1 LIGHT INDUSTRY
 - M2 GENERAL INDUSTRY
 - M3 HEAVY INDUSTRY
 - MHP MOBILE HOME PARK



ADDENDUM MAP BOUNDRIES